

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

01-28-02

PATENT APPLICATION

ATTORNEY DOCKET NO. 10970913

2631/CPA
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JAN 29 2002

Technology Center 2600



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" label no. ET103508165US

Date of Deposit 1-22-2002

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

By Paul H. Horstmann

Typed Name: Paul H. Horstmann

Anticipated classification of this application:

Class Subclass

Prior application:

Examiner: Bayard E.

Art Unit: 2631

Box CPA

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

REQUEST FOR A CONTINUED PROSECUTION APPLICATION (CPA) 37 CFR 1.53(d)

Sir:

This is a request for a filing under the continuing application procedure, 37 CFR 1.53(d), for a

(X) continuation

() divisional

Prior Application

Application Serial No. 09/558,302 filed 4-25-2000

Title (as originally filed) APPROXIMATING SIGNAL POWER AND NOISE POWER IN A SYSTEM

Title (as last amended)

Name of applicant(s) William J. Hillery; V. Rao Sattiraju

(X) The prior application is hereby abandoned.

(X) The issue fee in the prior application has not been paid.

(X) Please use all the contents of the prior application file wrapper, including the drawings and entered amendments, as the basic papers for the new application.

Foreign Priority - 35 USC 119

() Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. filed on in .

() The certified copy has been filed in prior application Serial No. filed .

() A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Petition for Extension of Time in Prior Application

() A petition for extension of time is enclosed herewith.

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Assignment

- (X) The prior application is assigned to Agilent Technologies Inc..
() The prior application is assigned to Agilent Technologies Inc. and _____
() The prior application is assigned to _____

Inventorship Statement

- () Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.62(a) as a result of a change in the claimed subject matter:

Declaration and Power of Attorney

- (X) The Power of Attorney in the prior application is to:

Customer Number **022878**

Place Customer
Number Bar Code
Label here

- (X) The power appears in the original papers in the prior application.
() The power does not appear in the original papers, but was filed on _____
() Recognize as Associate Attorney or Agent _____
Registration No. _____
() Authorization is hereby granted by signature below of the Attorney or Agent of record.
() The Associate Attorney or Agent may not have the authority to appoint other Attorneys or Agents.

Communications

- (X) Address all future communications to:

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599

Direct telephone calls to:
Paul H. Horstmann
(310) 376-0218

Waiver of Secrecy

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a CPA application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

Other Amendments

- (X) Before calculating the filing fee, amend the prior application as follows:

- () Cancel the following claims _____
(X) Enter the enclosed Preliminary Amendment.
() Enter the Amendment(s) under 37 CFR 1.116 dated _____
that was unentered in the Prior Application. A copy of the Amendment(s) is (are) enclosed.

Fee Calculation

(X) The filing fee is calculated below for (X) Utility () Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY					
(1) FOR	(2) NUMBER FILED		(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	5	20	0	X \$18	\$ 0
INDEPENDENT CLAIMS	1	3	0	X \$84	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0			\$280	\$ 0
BASIC FEE: Design (\$330.00); Utility (\$740.00)					\$ 740
TOTAL FILING FEE					\$ 740
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$400.00	3RD MONTH \$920.00	4TH MONTH \$1440.00	\$ 0
TOTAL CHARGES TO DEPOSIT ACCOUNT					\$ 740

Charge \$ 740 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

William J. Hillery et al.

By


Paul H. Horstmann

Attorney/Agent for Applicant(s)
Reg. No. 36,167

Date: 1-22-2002

Telephone No.: (310) 376-0218



7/13/02
1/31/02
PS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventors: Hillery et al.)	
)	Art Unit: 2631
Serial No.:)	
)	Examiner: Bayard E.
Filed:)	
)	
Title: APPROXIMATING SIGNAL)	
POWER AND NOISE POWER IN A)	
SYSTEM)	
)	
<hr/>		
Which is a Continuation of:)	
Serial No.: 09/558,302)	
Filed: 4-25-2000)	
)	

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Before consideration, applicants request that the above-identified application be amended as follows. This amendment is in response to the Final Office Action mailed October 19, 2001 in parent application Serial No.: 09/558,302, filed: 4-25-2000.